

Applicant : Alexander Hilscher et al
Serial No. : 10/662,237
Filed : September 15, 2003
Page : 8 of 9

Attorney's Docket No.: 02894-609001 / 06410-
PT12/co-

REMARKS

Applicants present this amendment to memorialize several telephone interviews with Examiner Chin on September 2, 2005. Applicants thank the Examiner for his courtesy and helpfulness in conducting these interviews and for reopening prosecution to review patentability of the present application in view of Tsimerman, U.S. Patent No. 6,193,510 (Tsimerman), a reference that Examiner Chin recently brought to applicants' attention. Applicants submitted PCT publication number WO 01/08591, the counterpart to Tsimerman, in an IDS filed on May 18, 2005. The present amendment revises the specification and claims as follows.

First, applicants have amended the specification to clarify the brief description of the drawings. Secondly, applicants have amended claim 42 to clarify that the communications means in the oral care device includes a radio signal transmitting and receiving means in the cleaning tool portion and a corresponding radio signal transmitting and receiving means in the handle portion, and that the memory element stores data that identifies the cleaning tool and data that indicates one or more operating parameters for use with the cleaning tool portion. These features clearly distinguish Tsimerman. Applicants have amended claim 53 in similar fashion. Support for the amendments to claims 42 and 53 can be found, for example, at page 18, last line (radio signal), at page 19, lines 11-12 (receiver and transmitter), and at page 3, lines 8-14 and page 4, lines 1-17 (coding data on cleaning tools that indicates operating parameters). Applicants have amended claims 43, 46-49, and 51-52, depending from claim 42, and claims 57 and 59, depending from claim 53, for conformity.

Applicants have also cancelled claims 44, 45, 50, 54-56, and 58 without prejudice, and have added new claims 60 to 68. New claims 60 and 61 recite that the oral care device comprises a toothbrush and the cleaning tool portion comprises a brushhead. New claims 62 and 63 recite that the cleaning tool comprises a bristle section, an interproximal cleaning section, a gum massager section, or a tongue cleaning section. These claims are supported in the specification, e.g., at page 4, lines 5-6. New claims 64 and 65 recite that the operating parameters include cleaning frequency, cleaning speed, cleaning time, cleaning threshold value, driving motion, or range or value of application pressure of the cleaning section. These claims

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Page : 9 of 9

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are supported in the application, e.g., at page 3, lines 9-10, and at page 4, lines 6-9. New claim 66 recites a user profile defining at least one of the operating parameters. See page 3, lines 1-26. New claim 67 depends from claim 42 and recites the features of claim 57. New claim 68 depends from claim 42 and recites that the microcontroller uses the data from the cleaning tool portion to adapt one or more operating parameters of the oral care device. Support for claim 68 can be found, for example, at page 2, lines 11-17 and page 3, lines 8-21. Thus, the amendments and new claims add no new matter.

Applicants proposed and discussed these amendments with Examiner Chin during the telephone interviews and requested withdrawal of the application from the suspension imposed in the office communication of July 8, 2005. Applicants also discussed how these amendments clearly distinguish the present invention from the Tsimmerman patent. The undersigned understood that the Examiner indicated that all claims, as amended in this paper, are patentable over Tsimmerman.

Allowance of all claims is respectfully solicited.

Please apply any additional charges or credits to Deposit Account No. 06-1050, referring to attorney docket number 02894-609001.

Respectfully submitted,

Date: Sept. 7, 2005

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